

AMENDED IN SENATE JULY 15, 2010

AMENDED IN ASSEMBLY JUNE 1, 2010

AMENDED IN ASSEMBLY APRIL 22, 2010

AMENDED IN ASSEMBLY MARCH 25, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

## **ASSEMBLY BILL**

**No. 2385**

---

**Introduced by Assembly Member John A. Pérez  
(Principal coauthor: Assembly Member Buchanan)  
(Coauthor: Assembly Member Galgiani)**

February 19, 2010

---

An act to add and repeal Article 3.7 (commencing with Section 78265) of Chapter 2 of Part 48 of Division 7 of Title 3 of the Education Code, relating to public postsecondary education.

### LEGISLATIVE COUNSEL'S DIGEST

AB 2385, as amended, John A. Pérez. Pilot Program for Innovative Nursing and Allied Health Care Profession Education at the California Community Colleges.

Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the segments of public postsecondary education in this state. Existing law establishes community college districts, each of which is administered by a governing board, throughout the state, and authorizes these districts to provide instruction to students at the community college campuses maintained by the districts.

The bill would establish the Pilot Program for Innovative Nursing and Allied Health Care Profession Education at the California

Community Colleges under the administration of the Office of the Chancellor of the California Community Colleges to facilitate the graduation of community college nursing and allied health students by piloting innovative models to expand the state's capacity to prepare a qualified health care workforce. The bill would require the chancellor's office to establish the pilot program at up to 5 campuses throughout the state according to specified requirements.

~~The bill would authorize participating campuses to collect supplemental fees from participating students to support the pilot program based upon a fee schedule approved by the chancellor's office and would not permit these fees to offset~~ *express legislative intent that the pilot program be funded with a combination of state apportionment funding, federal grants, employer-based partnerships, and private philanthropic resources.*

The bill would require the chancellor's office to collect appropriate data for the purpose of evaluating the effectiveness of the pilot program. The bill would require the chancellor's office to analyze this data, ~~and report its contract with an external evaluator to conduct an independent evaluation with~~ findings and recommendations with respect to the pilot program to *be reported to* the Legislature on or before January 1, 2017.

*The bill would provide that its provisions would be implemented in any fiscal year only to the extent that the chancellor's office determines that sufficient moneys are available to administer the program.*

The bill would provide that the pilot program would become inoperative on July 1, 2017, and as of January 1, 2018, would be repealed.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) Allied health care occupations are expected to grow
- 4 dramatically in the next decade, and California labor market data
- 5 show that, by 2017, allied health care occupations are projected
- 6 to account for more than 1,100,000 jobs around the state, an
- 7 increase of close to 130,000 jobs, or 13 percent, from 2007.

1 (b) Health care industry experts project a growing demand for  
2 care due to burgeoning population growth and an aging population.  
3 Retirements by health care employees will place additional strain  
4 on a system struggling to train the number of qualified individuals  
5 necessary to meet the demands of the health care industry.

6 (c) Although one of the most publicized shortage areas has been  
7 registered nurses, a wide variety of allied health care occupations  
8 also face worker shortages.

9 (d) The California Community Colleges system currently trains  
10 approximately 70 percent of registered nurses statewide, and the  
11 system offers educational programs in a variety of allied health  
12 care professions.

13 (e) Allied health care profession education programs are among  
14 the most costly education programs offered by community colleges  
15 and colleges have been forced by fiscal constraints to limit their  
16 enrollment capacity.

17 (f) Currently, most associate degree nursing and allied health  
18 care profession courses are offered over four semesters or two  
19 school years, and require the completion of 70 units in program  
20 courses, assuming that the student has met all of the prerequisite  
21 requirements and is ready to start the program immediately.

22 (g) The goal of this bill is to pilot innovative program delivery  
23 and curriculum models to enable students to earn their degrees and  
24 enter the workforce as quickly as possible and expand the state's  
25 capacity to train a qualified health care workforce without  
26 compromising the integrity of program and licensure requirements.

27 (h) Successful program models would be a center of innovation  
28 and a foundation for the newest educational technology and  
29 curricular ideas.

30 SEC. 2. Article 3.7 (commencing with Section 78265) is added  
31 to Chapter 2 of Part 48 of Division 7 of Title 3 of the Education  
32 Code, to read:

33  
34 Article 3.7. Pilot Program for Innovative Nursing and Allied  
35 Health Care Profession Education at the California Community  
36 Colleges  
37

38 78265. (a) The Pilot Program for Innovative Nursing and  
39 Allied Health Care Profession Education at the California  
40 Community Colleges is hereby established under the administration

1 of the Office of the Chancellor of the California Community  
2 Colleges. The goal of the pilot program shall be to facilitate the  
3 graduation of community college nursing and allied health students  
4 by piloting innovative models to expand the state's capacity to  
5 prepare a qualified health care workforce.

6 (b) The chancellor's office shall establish the pilot program at  
7 up to five campuses throughout the state.

8 (c) The pilot programs shall test innovative program delivery  
9 models to expand the capacity of community colleges to offer  
10 health care training to students in occupations for which there is  
11 a substantial labor market demand. Pilot programs shall test health  
12 care education models that use tools such as technology, ~~flexible~~  
13 ~~scheduling, and fees specified in paragraph (1) of subdivision (b)~~  
14 ~~of Section 78265.7 to sustain the expanded training capacity. Pilot~~  
15 ~~programs and flexible scheduling, and~~ shall coordinate student  
16 services and financial assistance to the maximum extent possible  
17 in order to facilitate a student's successful program completion.

18 (d) The chancellor's office shall pursue a variety of funding  
19 sources to help support the development and delivery of the pilot  
20 programs and create high-quality curriculum delivery models to  
21 be used in health care certificate and degree programs. These  
22 funding sources shall include, but not be limited to, federal grants,  
23 philanthropic funds, employer monetary and in-kind contributions,  
24 and state and federal workforce funds.

25 (e) The chancellor's office, contingent upon obtaining resources  
26 to support the development and delivery of the pilot programs,  
27 shall develop a request for application for community colleges to  
28 participate in the pilot program commencing on or after the  
29 2011–12 academic year. The chancellor's office shall develop the  
30 request for application in collaboration with representatives from  
31 education, labor, ~~business, licensing and credentialing entities~~  
32 *licensing and credentialing entities, regional occupational centers*  
33 *and programs, hospitals and nursing organizations*, and other  
34 appropriate entities. The chancellor's office shall specify the  
35 amount of baseline funding provided for each pilot program based  
36 upon funding sources developed pursuant to subdivision (d). Pilot  
37 programs shall be in ~~certified~~ *high-demand* allied health care or  
38 nursing programs.

39 (f) The chancellor's office shall select pilot programs that do  
40 all of the following:

1 (1) Provide students with ~~certificated~~ training *an*  
2 *industry-recognized certificate or degree* in health care fields for  
3 which there is a demonstrated shortage of workers in the labor  
4 market and documented support from employers.

5 ~~(2) Demonstrate either limited capacity in the community college~~  
6 ~~for training specified health care workers, or the need to either~~

7 (2) *Demonstrate a capacity to train specified health care*  
8 *workers, or the ability to sustain or expand current innovative*  
9 *health care education and training programs, or both.* Limited  
10 capacity may be demonstrated by waiting lists to enter existing  
11 community college ~~training~~ *allied health care or nursing* programs.

12 (3) Provide evidence of sufficient clinical sites for offering the  
13 pilot program.

14 (4) Include high-quality curriculum delivery models as part of  
15 the pilot program. ~~Proposals utilizing online and distance learning~~  
16 *All courses shall meet the curriculum standards approved by the*  
17 *appropriate state licensing entities that oversee each health*  
18 *occupation, and shall not in any way shorten the clinical units or*  
19 *hours as determined by the appropriate state licensing entities*  
20 *that oversee each health occupation. Curriculum already approved*  
21 *by the appropriate state licensing entities that oversee each health*  
22 *occupation shall be deemed to satisfy the requirements of this*  
23 *paragraph.*

24 (5) Provide flexibility in the delivery of coursework ~~by~~  
25 ~~providing~~, *including, but not limited to*, intensive weekend,  
26 evening, and summer courses to enable students to efficiently  
27 complete program requirements.

28 (6) Offer coordinated supportive services to students, including,  
29 but not limited to, tutoring and financial advising.

30 (7) Demonstrate clear, nonduplicative articulated ~~career~~  
31 *education* pathways with local secondary and ~~higher~~ *postsecondary*  
32 education entities.

33 (8) Identify resources to support the pilot program, including,  
34 but not limited to, funding provided by the chancellor's office  
35 obtained from outside sources for the support of the pilot program,  
36 ~~student fees, student financial aid~~, local workforce investment  
37 funding, and locally provided employer or philanthropic resources.

38 (g) The chancellor's office shall select, to the extent possible,  
39 pilot programs that are geographically distributed throughout the  
40 state.

(h) In selecting the pilot programs, the chancellor's office may give consideration to existing innovative programs currently underway within the community college system that require additional resources to move to scale.

78265.1. As used in this article the following definitions apply:

(a) "Chancellor's office" means the Office of the Chancellor of the California Community Colleges.

(b) "Pilot program" means the Pilot Program for Innovative Nursing and Allied Health Care Profession Education at the California Community Colleges established by Section 78265.

78265.2. (a) It is the intent of the Legislature that the pilot program attract and admit a diverse and talented pool of students likely to succeed in an innovative program model setting.

(b) To effectuate the legislative intent expressed in subdivision (a), both of the following shall occur:

(1) In selecting students for admission to the pilot program, participating campuses may use a diagnostic assessment tool identified by the chancellor's office pursuant to Section 78261. The use of a diagnostic assessment tool by a participating campus shall be part of a comprehensive program-based support system for students who need skills enhancement prior to entering the program. When the number of applicants for the pilot program exceeds the capacity to admit students, a participating campus may administer the multicriteria screening process established under Section 78261.5 when the use of this process is deemed feasible.

(2) Participating campuses shall provide support services to help students complete the pilot program. These support services shall include, but not necessarily be limited to, the presence of student success advisers, tutors, mentors, appropriate financial assistance, and aid in placing students who complete the program in appropriate internships.

78265.3. ~~(a)~~ It is the intent of the Legislature that the pilot program be funded with a combination of state apportionment funding, ~~student fees~~ *employer-based partnerships*, federal grants, and private philanthropic resources.

~~(b) To effectuate the legislative intent expressed in subdivision (a), both of the following shall occur:~~

~~(1) (A) Notwithstanding any other law, a campus participating in the pilot program may collect supplemental fees from participating students to support the program based upon a fee~~

1 ~~schedule approved by the chancellor's office during the pilot~~  
2 ~~program selection process. Notwithstanding any other law, the~~  
3 ~~supplemental student fees collected in support of this pilot program~~  
4 ~~shall not offset state apportionment funding.~~

5 (B) ~~A campus participating in the pilot program that elects to~~  
6 ~~collect supplemental fees shall make all reasonable efforts and~~  
7 ~~accommodations to ensure that state and federal financial aid is~~  
8 ~~available to eligible students who participate in the pilot program.~~

9 (C) ~~A student who is on a program wait list may opt out of~~  
10 ~~paying the supplemental fee and shall not lose his or her place on~~  
11 ~~the wait list as a result of opting out of the supplemental fee.~~

12 (2) ~~The chancellor's office shall make every feasible effort to~~  
13 ~~secure federal and private sector funding for the pilot program.~~  
14 ~~These funds, upon appropriation by the Legislature, shall be used~~  
15 ~~to support implementation of the pilot program.~~

16 78265.4. ~~The chancellor's office shall collect appropriate data~~  
17 ~~for the purpose of evaluating the effectiveness of the pilot program.~~  
18 ~~The chancellor's office shall analyze this data, and report its~~  
19 ~~contract with an external evaluator to conduct an independent~~  
20 ~~evaluation with findings and recommendations with respect to the~~  
21 ~~pilot program to be reported to the Legislature on or before January~~  
22 ~~1, 2017.~~

23 78265.5. ~~This article shall be implemented in any fiscal year~~  
24 ~~only to the extent that the chancellor's office determines that~~  
25 ~~sufficient moneys are available to administer the program.~~

26 78265.5:

27 78265.6. ~~This article shall become inoperative on July 1, 2017,~~  
28 ~~and, as of January 1, 2018, is repealed, unless a later enacted~~  
29 ~~statute, that becomes operative on or before January 1, 2018,~~  
30 ~~deletes or extends the dates on which it becomes inoperative and~~  
31 ~~is repealed.~~

32  
33  
34 CORRECTIONS:

35 Text—Page 4.  
36

O